

Notice of Allowability

Application No.

10/630,023

Examiner

Isaac T. Tecklu

Applicant(s)

KURHEKAR ET AL.

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 02/16/2007.
2. ☒ The allowed claim(s) is/are 1-26 and 29-38 (renumbered as 1-36).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

TUAN DAM
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

1. This action is responsive to the amendment filed on 02/16/2007.
2. Claims 1, 6-8, 13-20, 25, 29 and 34 have been amended.
3. Claims 27-28 have been cancelled.
4. Claims 1-26 and 29-38 are pending and being allowed.

EXAMINER'S AMENDMENT

5. An examiner's amendment to the record appear below. Should the change and/or additions be unacceptable to the Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such amendment, it MUST be submitted no later than the payment of issue fee.

Authorization for examiner's amendment was given in a telephone interview with Mr. Mohammad S. Rahaman Registration No. 43,029 on March 30, 2006, to obviate any potential 35 USC 101 issues and put the claims in condition for allowance. The support description has noted at page 5, lines 30-33, Fig. 4 and at page 14, lines 1-12. The application has been amended as follows:

IN THE CLAIMS:

Claim 20 are amended as follows:

Claim 20 (Currently amended)

At line 1, after "compiler" insert system

At line 1, after "comprising:" insert new line and plural parallel processor nodes,

At line 4, after "form" insert ,wherein said intermediate form processor loads and stores data from run-time libraries from any said processor node

At line 5, after "front end" delete [processor] and insert module.

--End--

Allowable Subject Matter

6. The following is an examiner's statement of reasons for allowance:

As applicant pointed out under Remark section, pages 18-22, Odani (US Patent 6,760,906 B1) does not disclose at least the following steps:

“ translating said UPC source code into a first intermediate form ... translating said combined code into a second intermediate form, wherein any reference to said UPC-unique constructs are replaced by a references to corresponding proxy components in associated program text, and surviving UPC-unique constructs are discarded...” and/or in as such a manner as recited in independent claims 1, 8, 13, 20, 29 and 34.

Prior arts of record do not teach and/or fairly suggest these claimed limitations, thus, all remaining pending claims 1-26 and 29-38 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac Tecklu whose telephone number is (571) 272-7957. The examiner can normally be reached on M-TH 9:300A - 8:00P.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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